

PRESIDENT: The Chair recognizes Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. President. Members of the Legislature, just want to get my two cents in on this question. We have debated it long and hard and it is time to settle it and move on. I do approve of Senator Goodrich's trying to make more specific that kind of software that should be taxed and I commend him for that language. I voted for Senator Beutler's amendment simply because I think that some form of software should be taxed, and I did a little...I was talking to someone over the noon hour who said that, gee, they paid sales tax on all of their software, and this was in Lancaster County in the City of Lincoln where the court case was. So I did a quick poll on four computer shops and two of the four are charging sales tax for their software. No question, yes, they are charging sales tax on their software. Two are not. One wasn't sure but they had to look it up and then they referred to the 1981 provision that came down from the Department of Revenue. So if you are looking for a lot of revenue to be gained from this, I don't think you are going to find it. But I think you are going to find that if we do not tax that retail tangible product of software, that there will be a reduction in that sales tax, as those who find out about it specifically probably due to this debate will stop charging for sales tax. So I urge you to adopt this amendment. I think it is a more specific amendment, more clear and should be adopted. Thank you.

PRESIDENT: The Chair recognizes Senator Chambers. (Gavel). Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, to add this amendment to the bill will take 25 votes. It would take the same number on Select, and because I think now there is some uncertainty as to what the bill does right now and the interrelationship between the existing bill, as amended, and Senator Goodrich's amendment, I would suggest that there be no action on his amendment. I am sure he probably won't withdraw it, so it ought to be voted down, but if he wanted to withdraw it, then he could offer it again on Select without having lost it. But because there is uncertainty, it might be necessary to do additional tinkering with the bill. Since Senator Newell says that he is working on an amendment, then perhaps they could get together and incorporate all of their concerns in that amendment and decide whether all computer software is going to be taxed or not. The only difficulty I have with the amendment that was adopted is